

R. Watson



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Realwise, Inc.

File: B-242961

Date: February 21, 1991

Derek L. Sykes for the protester

DIGEST

General Accounting Office is without jurisdiction to consider a protest of a procurement by the Resolution Trust Corporation (RTC) because RTC is defined by statute as a mixed-ownership corporation and is therefore not a federal agency for bid protest purposes.

DECISION

Realwise, Inc. protests the award of a contract under solicitation No. 700-90-0015 issued by the Resolution Trust Corporation.

We dismiss the protest because we have no jurisdiction over procurements by RTC since it is not a federal agency.

Under the Competition in Contracting Act of 1984, our bid protest jurisdiction is limited to procurements of federal agencies. 31 U.S.C. § 3551 (1988); 4 C.F.R. § 21.1(a) (1990). A federal agency is:

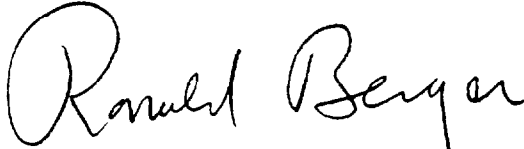
"any executive department or independent establishment in the executive branch, including any wholly owned government corporation, and any establishment in the legislative or judicial branch, except the Senate, the House of Representatives and the Architect of the Capitol and any activities under his direction."
4 C.F.R. § 21.0(c).

RTC is not a wholly owned government corporation. It is established by law as a mixed-ownership corporation. See 31 U.S.C.A. § 9101(2)(L) (West Supp. 1990); Miller-Windsor, Inc., B-242342, Dec. 13, 1990, 90-2 CPD ¶ 489. Mixed-ownership corporations are not federal agencies for purposes of our bid protest jurisdiction. Chas. G. Stott & Co., Inc., B-220302, Sept. 24, 1985, 85-2 CPD ¶ 333.

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Accordingly, we are without jurisdiction to consider the protest.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in black ink and is positioned above the printed name and title.

Ronald Berger
Associate General Counsel